

Exhibit 37

Christopher S. Marchese (SBN 170239)
marchese@fr.com
FISH & RICHARDSON P.C.
4695 MacArthur Court, Suite 1100
Newport Beach, CA 92660
Tel: (213) 533-4240 / Fax: (858) 678-5099

John S. Goetz (*pro hac vice*)
goetz@fr.com
Kristen McCallion (*pro hac vice*)
mccallion@fr.com
Vivian Cheng (*pro hac vice*)
cheng@fr.com
FISH & RICHARDSON P.C.
7 Times Square, 20th Floor
New York, NY 10036
Tel: (212) 765-5070 / Fax: (212) 258-2291

Additional counsel listed on signature page

Attorneys for Defendant
Warner Bros. Discovery, Inc.

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ALCON ENTERTAINMENT, LLC,
a Delaware Limited Liability Company,

Plaintiff,

v.

TESLA, INC., a Texas Corporation;
ELON MUSK, an individual;
WARNER BROS. DISCOVERY, INC.,
a Delaware Corporation,

Defendants.

Case No. 2:24-cv-09033-GW-RAO

**DEFENDANT WARNER BROS.
DISCOVERY, INC.'S NOTICE OF
MOTION AND MOTION TO
DISMISS SECOND AMENDED
COMPLAINT**

Hearing Date: September 11, 2025
Hearing Time: 8:30 a.m.
Courtroom: 9D
Judge: Hon. George H. Wu

1 TO PLAINTIFF AND ITS COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on September 11, 2025 at 8:30 a.m., or as
3 soon thereafter as the matter may be heard in the United States District Court, Central
4 District of California, Western Division, at 350 West 1st Street, Los Angeles,
5 California 90012, Courtroom 9D, 9th Floor, before the Honorable George H. Wu,
6 Defendant Warner Bros. Discovery, Inc. (“WBDI”) will move, and hereby does
7 move, to dismiss with prejudice the first (Direct Copyright Infringement), second
8 (Vicarious Copyright Infringement), and third (Contributory Copyright Infringement)
9 claims for relief in the Second Amended Complaint.

10 This motion is made pursuant to Fed. R. Civ. P. 8 and 41(b) and the Local Rules
11 applicable thereto. This motion is based on this notice of motion and motion, the
12 accompanying memorandum of points and authorities, the pleadings on file in this
13 action, and on such other written or oral argument or evidence as may be presented at
14 or before the time this motion is taken under submission.

15 This motion is made following the conference of counsel pursuant to Local
16 Rule 7-3, which took place on July 23, 2025. Plaintiff confirmed it will oppose the
17 motion.
18
19
20
21
22
23
24
25
26
27
28

1 Dated: July 30, 2025

FISH & RICHARDSON P.C.

2 /s/ Kristen McCallion

3 Christopher S. Marchese (SBN 170239)
4 marchese@fr.com
5 FISH & RICHARDSON P.C.
6 4695 MacArthur Court, Suite 1100
7 Newport Beach, CA 92660
8 Tel: (213) 533-4240
9 Fax: (858) 678-5099

10 John S. Goetz (*pro hac vice*)
11 goetz@fr.com
12 Kristen McCallion (*pro hac vice*)
13 mccallion@fr.com
14 Vivian Cheng (*pro hac vice*)
15 cheng@fr.com
16 FISH & RICHARDSON P.C.
17 7 Times Square, 20th Floor
18 New York, NY 10036
19 Tel: (212) 765-5070
20 Fax: (212) 258-2291

21 Matthew A. Colvin (*pro hac vice*)
22 colvin@fr.com
23 FISH & RICHARDSON P.C.
24 1717 Main Street, Suite 5000
25 Dallas, TX 75201
26 Tel: (214) 747-5070
27 Fax: (214) 747-2091

28 Kayleigh E. McGlynn (*pro hac vice*)
mcglynn@fr.com
FISH & RICHARDSON P.C.
One Marina Park Drive, Suite 1700
Boston, MA 02210
Tel: (617) 542-5070
Fax: (617) 542-8096

Attorneys for Defendant
Warner Bros. Discovery, Inc.